

OCT 10 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Sanjeev Kumar)
Application No. 10/749,051)
Filed: December 30, 2003) Group Art Unit: 2875
For: HURRICANE LAMP)
Examiner: Guiyoung Lee) Attorney Docket No. HOS-118

AMENDMENT AND RESPONSE UNDER RULE 116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is submitted in response to the Office Action dated 16 August 2006 on the above-identified application. Reconsideration of this application is requested.

This Office Action on page 2 explicitly acknowledges that a new ground of rejection is being asserted. This new ground of rejection is based on the same reference previously applied against the same claims under 35 U.S.C. 103(a) and distinguished. Applicant's most recent prior amendments were made to distinguish over an entirely different set of applied references, but clearly did not necessitate a new search. No reason has been advanced as to why applicant's most recent prior amendments necessitated a new ground of rejection under 35 U.S.C. 102(b). Accordingly, it is respectfully requested that the Final Rejection set forth in the outstanding Office Action is premature, should be withdrawn, and the Office Action converted to a Non-Final Office Action.

Kindly amend this application as set forth below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks begin on page 4 of this document.

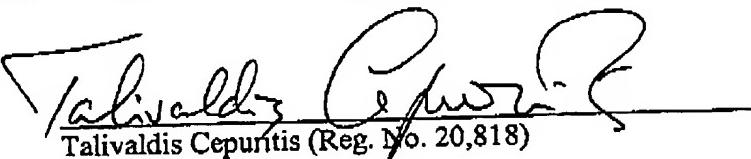
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT AND RESPONSE UNDER RULE 116 is being transmitted by facsimile transmission to Fax No. 571-273-8300 on October 10, 2006.


Talivaldis Cepuritis (Reg. No. 20,818)